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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,618	09/30/2003	Jack Clyde Boyer	16200-US	6363

7590 09/17/2004

DEERE & COMPANY
Patent Department
One John Deere Place
Moline, IL 61265-8098

EXAMINER

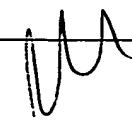
TAPOLCAI, WILLIAM E

ART UNIT PAPER NUMBER

3744

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/675,618	BOYER ET AL. 	
	Examiner	Art Unit	
	William E. Tapolcai	3744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20030930</u> . | 6) <input type="checkbox"/> Other: ____. |

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 8, 10-19, 21, and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al in view of Lindenblad. Inoue et al discloses the claimed invention except for the arrangement of the heat exchangers. Lindenblad teaches a cooling system for an enclosure 9 in which the heat exchangers 36 and 38 are placed according to the needs of the enclosure. See especially column 4, lines 9-28 which teaches that the heat exchangers may be "conveniently moved to most desirable location" within the enclosure. Thus, to modify Inoue et al to provide plural heat exchangers within the enclosure wherever needed or desired is obvious in view of Lindenblad, for the purpose of optimizing the cooling system according to the needs of the operator. The various recited parameters such as the type of coolant and the type of refrigerant used are considered to be matters of obvious choice to one of ordinary skill in the art, as the various recited coolants and refrigerants are considered to be well known, and no criticality or unexpected results are seen or have been disclosed for the various recited coolants and refrigerants. Also, fan speed controls per se are well known, and thus to provide Inoue et al with controls for the fan speed would be an obvious expedient to one of ordinary skill in the art.

3. Claims 7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al in view of Lindenblad as applied to claims 1 and 16 above, and further in

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view of Gould. Inoue et al as modified above by Lindenblad discloses the claimed invention except for the control valve. Gould teaches a coolant type cooling system where the various heat exchangers are controlled by valves 86. It would be obvious to provide Inoue et al with control valves for the heat exchangers, in view of Gould, for the purpose of having more control over the temperature of the heat exchangers.

4. Claims 9 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al in view of Lindenblad as applied to claims 1 and 16 above, and further in view of Kleist. Inoue et al as modified above by Lindenblad discloses the claimed invention except for the louvers. Kleist teaches a coolant type cooling system including louvers 37 for the heat exchangers 36. It would be obvious to provide Inoue et al as modified by Lindenblad with louvers for the heat exchangers, in view of Kleist, for the purpose of controlling the air flow through the heat exchangers.


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William E. Tapolcai whose telephone number is (703) 308-2640. The examiner can normally be reached on Mon. - Thurs., 6:30 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Denise L. Esquivel can be reached on (703) 308-2597. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William E. Tapolcai
Primary Examiner
Art Unit 3744

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August 30, 2004